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Message Text

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ACTION DLOS-05

INFO OCT-01 IO-10 ISO-00 ACDA-05 AGR-05 AID-05 CEA-01

CEQ-01 CG-00 CIAE-00 CIEP-01 OFA-01 COME-00 DODE-00

DOTE-00 EB-07 EPA-01 ERDA-05 FEAE-00 FMC-01 H-02

INR-07 INT-05 JUSE-00 L-02 NSAE-00 NSC-05 NSF-01

OES-03 OMB-01 PA-01 PM-03 PRS-01 SP-02 SS-15 USIA-06

EUR-12 SAJ-01 /116 W
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FM US MISSION GENEVA
TO SECSTATE WASHDC 1638

C O N F I D E N T I A L GENEVA 2074

FROM USDEL LOS

E.O. 11652: GDS
TAGS: PLOS
SUBJECT: SOVIET ARTICLES ON MARINE SCIENTIFIC RESEARCH

SUMMARY: SOVIETS INDICATED NO FLEXIBILITY ON THEIR DRAFT MARINE SCIENTIFIC RESEARCH ARTICLES, SUBSTANCE OF WHICH SET FORTH IN RETEL. SOVIETS ALSO STATED INTENT TO INTRODUCE ARTICLES AT EARLIEST OPPORTUNITY. END SUMMARY.

1. MEETING WITH SOVIET DELOFFS FEDEROV AND KOVALEV TO DISCUSS THEIR MARINE SCIENTIFIC RESEARCH ARTICLES OCCURRED ON MARCH 21. KOVALEV INDICATED THAT THEIR DRAFT TEXT WAS NOT SUBJECT TO NEGOTIATION AND THEY HAD NO FLEXIBILITY IN THEIR POSITION. WHEN QUERIED WHETHER DISTINCTION BETWEEN RESEARCH RELATED AND NON-RESOURCE RELATED RESEARCH, WOULD BE SUPPORTED, THEY REPLIED AFFIRMATIVELY ALTHOUGH THEY ADDED THAT CANADIANS HAD NOT BEEN RECEPTIVE. ASKED IF CANADIAN RESPONSE DID NOT RAISE SERIOUS DIFFI-
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CULTIES IN NEGOTIATING SUCH A DISTINCTION, THEY REPLIED

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THEY DID NOT BELIEVE THAT A CONSENT REGIME FOR ALL RE-
SEARCH WAS INEVITABLE AND THEIR POSITION WAS FIRM.

2. IN RESPONSE TO REPEATED QUESTIONING CONCERNING WHO
WOULD MAKE THE DECISION WHETHER THE RESEARCH WAS RE-
SOURCE-RELATED OR NOT, FEDEROV RESPONEDED THAT THE RE-
SEARCHING STATE WOULD MAKE THE DETERMINATION. AFTER
FURTHER QUESTIONING, KOVALEV ADDED THAT DISPUTE SETTLE-
MENT PROCEDURES WOULD APPLY TO THE ENTIRE CONVENTION
INCLUDING SCIENTIFIC RESEARCH. BOTH SIDES AGREED TO
DISAGREE ON SCIENTIFIC RESEARCH.

3. DISCUSSION THEN TURNED TO QUESTION OF TECHNOLOGY
TRANSFER. SOVIETS HAD PREVIOUSLY FURNISHED US WITH
A COPY OF DRAFT ARTICLES ON TECHNOLOGY TRANSFER.
KOVALEV STRESSED THAT DRAFT WAS HIS OWN PERSONAL
EFFORT AND HAD NOT BEEN CLEARED WITH OTHER MEMBERS
OF SOVIET DELEGATION. HE CONTINUED THAT NO DECISION
HAD BEEN REACHED AS TO WHETHER ANY ARTICLES WOULD
BE TABLED OR THE CONTENT OF THEM. SOVIET DRAFT IS
BASED UPON L.12 TABLED BY GROUP OF 77 IN CARACAS IN
THE CLOSING DAYS OF THAT SESSION.

4. L.12 HAS A PROVISION CALLING UPON STATES TO QUOTE
FACILITATE THE TRANSFER OF TECHNOLOGY, INCLUDING KNOW-
HOW AND PATENTED AND NON-PATENTED TECHNOLOGY. END QUOTE.
SOVIET VERSION WAS IDENTICAL BUT DELETED REFERENCE TO
NON-PATENTED TECHNOLOGY. KOVALEV EXPLAINED THAT IN
SOVIET UNION NON-PATENTED TECHNOLOGY WAS HELD BY STATE
AND COULD NOT BE FULLY TRANSFERRED. HE APPEARED SYM-
PATHETIC TO OUR DIFFICULTIES WITH INCLUSION OF QUOTE
PATENTED TECHNOLOGY END QUOTE SINCE SUCH TECHNOLOGY
COULD ONLY BE TRANSFERRED BY PRIVATE INDIVIDUALS
WHO OWN IT.

5. ARTICLE 3 OF SOVIET TECHNOLOGY TRANSFERFLFRO-
VIDES THAT AUTHORITY QUOTE IN ANY OF ITS UNDERTAKINGS
FOR EXPLORATION OF THE INTERNATIONAL AREA, EXPLOITA-
TION OF ITS RESOURCES AND RELATED ACTIVITIES END QUOTE
WILL ENSURE, AMONG OTHER THINGS, A)TRAINING OF DEVELOP-
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ING COUNTRY NATIONALS, AND B) TECHNICAL DOCUMENTATION ON
RELEVANT EQUIPMENT AND PROCESSES BE MADE AVAILABLE
TO ALL DEVELOPING STATES UPON REQUEST.
KAVALEV STATED THAT SOVIET POSITION FAVORED A DUAL
REGIME, THAT OBLIGATION WAS ONLY UPON THE AUTHORITY
WHEN IT ENGAGED IN RESOURCE ACTIVITIES AND NOT UPON
STATES WHO HAD RECEIVED AUTHORIZATION
FROM THE AUTHORITY.DALE

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